



Docket No. 20518/42 (S-8446)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Carlyon et al. Conf. No.: 8017
Application No.: 10/609,304 Group Art Unit: 3763
FILED: June 27, 2003 Examiner: Not Yet Assigned
FOR: *SAFETY NEEDLE SHIELD APPARATUS*

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: Marilyn R. Bogus November 18, 2004
Marilyn R. Bogus Date

INFORMATION DISCLOSURE STATEMENT

MAIL STOP IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.



Application No.: 10/609,304

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Group Art Unit: 3763

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X **Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.**

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. The following additional information is provided for the Examiner's consideration:

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FEEs

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. _____ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. _____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. X before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. _____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

or

- b. X See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. _____ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. _____ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. _____ some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

_____ please charge Deposit Account No. 50-0369 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

 X No fee is required.

VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.704(d) (PATENT TERM
ADJUSTMENT)

Applies to original applications (other than design) filed on or after May 29, 2000

- a. ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- b. ☒ Enclosed herewith is form PTO-1449.
- c. ☒ Copies of cited references are enclosed.
- d. ☐ Copies of cited references are enclosed except those entered in prior application filed on to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- e. ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- f. ☐ The "concise explanation" requirement (non-English references) for reference WO 93/18858 under 37 CFR 1.98(a)(3) is satisfied by:
- [] the explanation provided on the attached sheet.
- [] the explanation provided in the Specification.
- [] submission of the enclosed International Search Report.
- [] the enclosed English language abstract.



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If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 50-0369.

Date:

11-18-2003

Respectfully submitted,

Mark S. Leonardo, Esq.

Registration No. 41,433

Customer No. 21710

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTY DOCKET NO. 20518/42 (S-8446)		SERIAL NO. 10/609,304			
				APPLICANT(S): Carlyon et al.					
				FILING DATE: June 27, 2003		ART UNIT: 3763			
UNITED STATES PATENT DOCUMENTS									
EXAM.	INITIAL	DOCUMENT	NUMBER	DATE	INVENTOR	CLASS	SUB	FIL.	
								DATE IF	
								APPR	
			RE 37,439	11/06/2001	Firth et al.	604	110		
			4,183,246	01/15/1980	Reynolds	73	290		
			4,676,783	06/30/1987	Jagger et al.	604	171		
			4,747,831	05/31/1988	Kulli	604	110		
			4,813,426	03/21/1989	Haber et al.	128	763		
			4,900,307	02/13/1990	Kulli	604	110		
			4,900,311	02/13/1990	Stern et al.	604	198		
			5,084,030	01/28/1992	Byrne et al.	604	198		
			5,085,639	02/04/1992	Ryan	604	110		
			5,108,376	04/28/1992	Bonaldo	604	171		
			5,188,119	02/23/1993	Sunderland	128	763		
			5,226,894	07/13/1993	Haber et al.	604	198		
			5,232,456	08/03/1993	Gonzalez	604	192		
			5,273,540	12/28/1993	Luther et al.	604	110		
			5,318,538	06/07/1994	Martin	604	110		
			5,338,303	08/16/1994	King et al.	604	110		
			5,395,347	03/07/1995	Blecher et al.	604	198		
			5,538,508	07/23/1996	Steyn	604	192		
FOREIGN PATENT DOCUMENTS									
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB	TRAN		
							CLASS	Y/N	
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)									
Examiner:					Date:				

NOV 21 2003

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UNITED STATES PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	INVENTOR	CLASS	SUB CLASS	FIL. DATE IF APPR
		5,554,130	09/10/1996	McDonald et al.	604	198	
		5,591,138	01/07/1997	Vaillancourt	604	263	
		5,695,475	12/09/1997	Best, Jr. et al.	604	198	
		5,746,215	05/05/1998	Manjarrez	128	763	
		5,779,679	07/14/1998	Shaw	604	158	
		5,928,199	07/27/1999	Nakagami	604	171	
		6,056,726	05/02/2000	Isaacson	604	164	
		6,080,137	06/27/2000	Pike	604	263	
		6,090,078	07/18/2000	Erskine	604	198	
		6,096,005	08/01/2000	Botich et al.	604	110	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN Y/N
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
Examiner:				Date:			